

PLANS OF UNION ARE ADOPTED

Merger of Two Medical Colleges Made an Assured Act.

DETAILS ARE MADE PUBLIC

Board of University College of Medicine Formally Approves Scheme, as Does Special Committee of Old College—M. C. V. Board Meets at Once to Ratify.

With practically the entire membership present, the Board of Trustees of the University College of Medicine last night ratified the articles of consolidation, which earlier in the day had been approved by a special committee from the Board of Visitors of the Medical College of Virginia. While the merger of the two medical colleges is practically completed by the occurrences of yesterday, the full board of the Medical College of Virginia must meet within the next ten days to formally accept the plan of agreement.

The cardinal points of the consolidation agreement, as adopted yesterday, are:

- 1.—The resignation of the officers and faculties of both colleges;
- 2.—The resignation of the entire directing boards of both colleges;
- 3.—The appointment by the Governor of a new Board of Visitors, nineteen in number, each college receiving nine appointments and the odd member being chosen by vote of the appointees;
- 4.—The election by the Board of Visitors of a new faculty;
- 5.—The election by the faculty of a dean, who will be the head of the united colleges;
- 6.—The lumping of the funds, debts, plants and equipments of the two institutions;
- 7.—Using the colleges under the name "The Medical College of Virginia."

Close Virginia Hospital.

While not in the written agreement it is understood that the merger of the two colleges will be immediately followed by the closing of the Virginia Hospital, and the institution attached to the University College of Medicine, and the combining in the Memorial Hospital of the work formerly done by the two hospitals separately. This is done both for the sake of economy and convenience.

The following are the officers connected with the two colleges cared to give out the detailed plan last night. It is understood that the merger, when once finally approved, will be put into actual effect immediately.

There is uncertainty whether the merger, with its necessary attendant interruption of the routine work of the colleges, ought to be made effective during the present school year or be formally perfected during the summer recess. There is so much detail which is not important enough to become articles of agreement, that the new board of visitors and the new faculty will be extremely hard work for some months after their election.

Under the leadership of Chairman E. L. Bemis, the special consolidation committee of the Medical College of Virginia met yesterday afternoon and formally adopted the articles of agreement as tentatively drawn up some weeks ago. The committee consists of the following: all of whom were present: E. L. Bemis, chairman; Dr. J. M. Burke, Petersburg; B. L. Pellam, Richmond; J. D. Johnston, Roanoke; Dr. Joel Crawford, Yale; A. Caperton, Braxton, Richmond.

The full board of trustees of the University College of Medicine met last night at 8 o'clock in the office of Dr. Stuart McGuire, president of that institution, and after mature consideration of the plan of amalgamation, as approved by the special committee of the Medical College of Virginia, adopted the plan with an unanimous vote. So elated are the leaders of the consolidation scheme with the rapid progress of the idea that no time will be lost in calling a meeting of the entire board of the Medical College of Virginia to have it give its stamp of approval to the action of its special committee.

Will Ratify Plan.

While the committees passed resolutions asking for a meeting of the board within ten days, no definite date had been selected for the meeting last night. The chairman will probably decide upon a day during the present week and send his call this morning, having imposed plenipotentiary powers in its special committee, the board as a body is expected to ratify the articles just as they stand. As soon as this action is taken, the merger of the two colleges will become an accomplished fact.

Upon examination it was found that no new charter is necessary for the merger, since the new institution will work under the name, purposes and organization called for in the charter of the Medical College of Virginia. The actual merging of the two colleges will become automatic without further formality when the board of the old school approves the plan of consolidation.

The present controversies for the union of these two institutions have been remarkable for the entire self-abnegation of the teachers and officers of the two schools, and the total absence of any selfishness. The same harmony, that has marked the preliminary dealings was noticeable yesterday at the two meetings, every one professing an

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ACCUSED JURIST FACES ACCUSERS

Judge Archbald Goes on Stand in His Own Behalf.

SEEKS TO EXPLAIN VARIOUS CHARGES

Denies That His Conduct as Judge Ever Was Influenced by Improper Motives—Mrs. Archbald Tells of European Trips as Guests of Her Cousin.

Washington, January 6.—Friendship for his Scranton associates, with whom he had lived and worked for years, was the motive that led Judge Robert W. Archbald, of the United States Commerce Court, to negotiate with officials of the Erie and Lehigh Valley Railroads over the settlement of coal land matters, and induced him to indorse certain notes, according to the statements made by the accused jurist to-day when he took the stand before the impeachment court of the Senate to testify in his own behalf. Judge Archbald followed his wife upon the stand.

Led by his own attorneys, he gave a chronological history of the transactions upon which the House of Representatives had based its impeachment proceedings against him. He repeatedly denied that any improper motives influenced his actions or that he had sought corruptly to use his power as a Federal judge.

Mrs. Archbald, an eloquent figure in defense of her husband's integrity as to the trip to Europe which he enjoyed at the expense of Henry W. Cannon, a director in the Great Northern and other railroads, was under examination but a short time. She said Mr. Cannon was her cousin, and that the two families frequently had enjoyed pleasure trips together.

The examination to the Archbalds to go to Europe in 1910 came to Mrs. Archbald personally. She gave the Senate the letter from Mr. Cannon. This and other letters that passed between Mr. Cannon and Judge and Mrs. Archbald were filled with discussion of the trip. To-morrow the managers for the House, appearing as the prosecutors in the case, will take up examination of the jurist.

Appears Composed.

Judge Archbald appeared composed, and his voice carried to all parts of the chamber. He admitted his association with Edward J. Williams, of Scranton, in negotiations for the Katydid mine in the case, which was jointly owned by a subsidiary of the Erie Railroad and by the firm of Robertson & Law.

Judge Archbald declared he had no interest whatever in the settlement of the case of the Marion Coal Company against the Delaware, Lackawanna and Western Railroad. He went to officials of the railroad in that case, he said, as a friend of George M. Watson, an attorney for the coal company, and one of the owners of the coal company. He had no thought of reward for his efforts, he said, and no purpose to influence the railroad to make a favorable settlement.

He denied he had tried to get credit from litigants or possible litigants as his courts. He declared that he had never attempted to conceal his interest in the Katydid dump or in the settlement of the Marion Coal Company cases, and that, on the contrary, his action in these cases was well known before the impeachment proceedings were brought against him. Upon one point only was the jurist subjected to much questioning. This was in reference to the charge that, as a member of the Commerce Court, he had written to Helen Bruce, an attorney for the Louisville and Nashville Railroad, as to the evidence that had been presented in the case of that road against the Interstate Commerce Commission, tried by the Commerce Court. Judge Archbald declared certain points

the evidence were not clear, and that he had written to Mr. Bruce to clear them up. The correspondence amounted to nothing, he said, because the points at issue had no part in the settlement of the case.

Members of the Senate asked if he had shown the correspondence to other members of the Commerce Court, and he informed them of it. Judge Archbald said he had not. Senator Reed asked if he thought it proper for a judge, in passing on doubtful points in evidence, to ask the opinion only of the attorney likely to coincide with his own views.

"No, I do not," said Judge Archbald. "He declared he had no knowledge of the making of the silent party agreement in the office of William P. Boland, in Scranton, through which the Katydid dump was controlled by E. J. Williams, W. P. Boland and a 'silent party,' known to a few persons."

"I never heard of the preparation of this agreement, and would not have submitted to having any such paper drawn," said Judge Archbald.

"I never concealed my connection with this matter, on the other hand, I was very prominent."

Representative Sterling, of the House managers, fought against allowing Judge Archbald's attorneys to ask him direct questions as to his motive in going to the railroad officials in the various coal land deals that form the basis of the impeachment charges against him.

Senator Bacon, presiding over the impeachment court, ruled direct questions out as improper, but permitted the attorneys to ask Judge Archbald his motive. In the case of the deal involving the Erie Railroad, he said, it was the desire to expedite a decision as to whether or not the option on the Katydid dump would be given; in the Lackawanna case it was as a friendly act to George M. Watson and C. G. Boland.

ANSWERS CRITICS; ATTACKS CAPITAL

Gompers Makes Spirited Defense of Federation of Labor.

WILL NOT DESERT IRON WORKERS

While Condemning Men Guilty of Dynamiting, He Believes Crimes Result of Crushing, Cruel Power of Employers. Denounces Judge Who Presided at Trial.

Washington, January 6.—Samuel Gompers, president of the American Federation of Labor, speaking to-day before the Senate sub-committee on Judiciary in favor of the Clayton anti-injunction and contempt bills, gave answer to criticisms aimed at the organization of workers which he heads because of the trial and conviction of dynamiting of officers of the Structural Iron Workers' Union.

"If ever the time shall come," said Mr. Gompers in the climax of his address, "when government by dynamite shall be attempted (and let us hope and work that it never shall come), it will have as its main cause the theory and policy upon which is based government by injunction—personal government foisted upon our people instead of a government by law."

In closing his statement, which included an assault upon employers' and manufacturers' associations, particularly the United States Steel Corporation and the National Erectors' Association, Mr. Gompers declared organized labor would not repudiate the Structural Iron Workers' Union, "and leave them helpless and at the mercy of organized capital and insatiable, unscrupulous greed for profits."

Burden on All Workmen.

"Though all condemn those whom men may deem guilty of dynamite conspiracy," the federation leader continued, "none feels the terrible consequences of the Indianapolis trial more keenly than organized labor. There have been added heartache and sorrow to our already heavy burdens. The men accused and sentenced cannot suffer the penalties alone—upon them and all workmen fall the suffering and penalty."

"But what of the conspiracy of organized capital—the conspiracy to subvert the liberty of the toilers to tear away from them the means of protection, by which they have battered their condition; to leave them bare and defenseless in the struggle? Is not such a conspiracy sufficiently dastardly to incur some odium?"

Should they be allowed to continue to manipulate the powers of government, the administration of justice, until the oppressed find the burden intolerable? "More wise it is to seek social justice while yet we may," the judge who presided at the trial realized one of the issues—government by injunction, lawless, autocratic, irresponsible exercise of government power, and denying justice to the weak."

Judge Anderson, who presided over the trial of the iron workers, was referred to particularly by Mr. Gompers, when he declared that "our whole social organization seems to be on trial." "Even the judge who tried the case, smugly assured of personal irresponsibility, declared that the evidence in this case will convince any impartial person that government by injunction is infinitely to be preferred to government by dynamite."

"The worthy judge had blindly chanced upon one of the causes, but had failed to realize casual relations. The words to him were simply a conventional epigram—he does not know that there is a law of life just as immutable as the law of gravitation, of attraction and repulsion—a law of life which meets tyranny and injustice by resistance. The indignity, the unendurable character of the utterance of the judge, discloses how far aside outside of the case he went to take another slap at labor."

Defends the Federation.

Mr. Gompers defended the American Federation of Labor as a force for betterment of conditions and resented the attacks made upon it since the beginning of the dynamiters' case. "I have challenged and now challenge any of our enemies to show that there has been any unlawful conduct or any connection, direct or remote, with any violence in any labor controversy or otherwise," said Mr. Gompers.

The federation leader referred to statements made by John Kirby, Jr., president of the National Manufacturers' Association; William Burns, the detective who caused the arrest of the McNamaras after the Los Angeles Times explosion; Harrison Grey Otis, editor of the Times, and others, whom he characterized as "enemies of organized labor."

Mr. Gompers said he would have the public know the forces of organized labor were used against these men. You say that the men resorted to forbidden methods of violence and sacrificed lives. You condemn their methods of fighting as elemental, brutal. Of any of those who are guilty the condemnation is true, but I ask you were the methods used by the employers less deadly to humanity and freedom? Do you think that one side can play with the forces of justice

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CORNER IN COTTON VIOLATION OF LAW

Far-Reaching Principle Laid Down by Supreme Court.

OPINION GIVEN IN PATTEN CASE

Indictment Held Valid, and Lower Court Will Put It to Trial—Decision Expected to Strengthen Hands of Government in Fight Against Other Combinations.

Washington, January 6.—The Supreme Court of the United States today laid down the far-reaching principle that "corners" of interstate commodities, such as articles of clothing and food, are in violation of the Sherman antitrust law, and held that, as far as the Sherman law was concerned, the indictment in the New York Federal court of James A. Patten, Eugene G. Scales, Frank H. Haynes and William P. Brown, for "conspiring to run an alleged cotton corner," was valid. The case against them was sent back for trial or other proceedings.

Chief Justice Dissents.

Justice Vandevanter announced the opinion of the court. Justice Lurton delivered a dissenting opinion, in which Chief Justice White and Justice Holmes concurred. The majority of the court held that the Circuit Court for Southern New York had decided that the indictment charged a "withholding" of the cotton from the market, a necessary element of a "corner," as admitted by the government. The minority held that the Circuit Court that found the indictment did not so charge, and for that reason the indictment was faulty. According to all the justices, the correctness of the holding of the Circuit Court to the "withholding" and the sufficiency of the indictment has to be determined. The points thus left undetermined to-day may be the basis for bringing the case to the Supreme Court again if the defendants are convicted.

Solicitor Bullitt issued a statement, in which he said that at least a way had been found to stop the running up of prices by men who sought to corner the market, not only of cotton, but wheat, corn and other commodities.

In his opinion Justice Vandevanter dealt at length with the defense that the accused men were not engaged in interstate commerce.

"The first section of the act, upon which the counts are founded," said he, "is not confined to voluntary restraint, as to whether persons engaged in interstate trade or commerce agree to suppress competition among themselves, but includes as well involuntary restraint, as where persons not so engaged conspire to compel action by others or to create artificial conditions which necessarily impede or burden the due course of such trade or commerce or restrict the common liberty to engage therein."

The Standard Oil case was quoted in support of this language. Government officials claim this language will materially strengthen their fight against combinations violating the law.

Thwarts Natural Laws.

Justice Vandevanter replied to the argument that running a "corner" stimulates instead of restrains interstate trade, by saying that this might be true for a time, but that the "corner" was forbidden by the act because it thwarted the usual operation of laws of supply and demand, withdrew the commodity from the normal current of trade, enhanced prices, and produced practically the same evils as the suppression of competition. He said the statute did not apply to "corners" of purely interstate trade, nor where the effect upon the interstate was direct, and added that in the present case the trade was not interstate, and the effect was not indirect.

"It was a conspiracy to run a corner in the market," said he. "The commodity to be cornered was cotton, the product of the Southern States largely used and consumed in the Northern States. It was a subject of interstate trade. The corner was to be conducted on the Cotton Exchange in New York City, but by means which enabled the conspirators to obtain control of the available supply and to enhance the prices to all buyers in every market of the country."

"Bearing in mind that such was the nature, object and scope of the conspiracy, we regard it altogether plain that by its necessary operation it would directly and materially impede and burden the due course of interstate trade and commerce among the States, and therefore indict upon the public the injuries which the antitrust act is designed to prevent."

The court said it made no difference that there was no allegation of a specific intent to restrain interstate trade. The conspirators must be held to have intended the necessary and direct consequences of their acts, and cannot be heard to say to the contrary. Justice Vandevanter explained.

HEISKELL APPOINTED

Newspaper Man Succeeds Jeff Davis in Senate.

Little Rock, Ark., January 6.—J. N. Heiskell, editor of the Arkansas Gazette, of this city, to-day was appointed United States Senator by Governor George W. Donaghy to succeed the late Jeff Davis. The appointment is for the short term, ending March 4.

John Heiskell is a native Tennessean. For a number of years he was engaged in newspaper work in Knoxville and Memphis, and served in an editorial capacity in the Chicago and Louisville offices of the Associated Press before coming to Little Rock as editor of the Gazette, of which he is part owner.

Loses His Case in Supreme Court



JAMES A. PATTEN.

FROM POKER CHIPS TO LAUNDRY SOAP

Discussion of Change in Tariff Schedules Has Wide Range.

FIRST HEARING IS HELD

Each Witness Has Eye Open to Prosperity of His Own Particular Business.

Washington, January 6.—A score of manufacturers, importers and representatives of other interests affected by customs changes aired their grievances before the House Committee on Ways and Means to-day in the first of a series of hearings preliminary to sharp revision of the Payne-Aldrich tariff law at the coming extra session of Congress.

The discussion ranged from poker chips to sponges, and from potash to laundry soap. The burden of the arguments was the maintenance of the present tariff, instead of the changes proposed by the Democrats along the line of the terms of the chemical tariff revision bill that was put through both houses to a White House veto last year.

The spectre of a gigantic glue trust whose tentacles reached out over Europe and into South America, was raised by Charles Delaney, president of the National Association of Glue and Gelatine Manufacturers. Mr. Delaney pictured "the European glue trust" as doing its work with the approval of the various European governments, absolutely controlling the glue manufacturing industry of Germany and Austria, with plants in Italy, France, Holland and Russia, and recently extending its operations to South America controlling 75 per cent of the output of glue of the Continent of Europe.

Would Weaken Industry.

The "glue trust," he said, was largely engaged in the manufacture of gelatine. The witness said the present tariff on glues and gelatines was not prohibitive, and that any material in present conditions would weaken the industry. There is an annual output of \$10,000,000 worth of glue, and Mr. Delaney suggested a tariff of 25 per cent ad valorem on glues, 25 per cent on gelatine up to 25 cents a pound and 45 per cent above that price.

The committee sharply questioned several witnesses regarding their profits. Mr. Delaney did not give any round figures at first, but later said he had a side business which gave him considerable profit.

"What is your side line?" he was asked.

"Curling hair," he replied.

"You'll find the gentleman from Kentucky a pretty good customer," interrupted Representative Longworth, of Ohio, while Senator-elect James H. Duff, a member of the committee, who loves a joke about his Kentucky head, smiled indulgently and promised his patronage.

The committee interrogated Mr. Delaney, treasurer of the American Graphophone Company, of Bridgeport, Conn., as closely about its business that he told the members he did not think it their business to ask about private details. Mr. Duran wanted instead of making them outable as proposed by the Democrats.

Mr. Underwood drew from the witness that the graphophone company pays 7 per cent dividends on a \$10,000,000 capitalization, that it carries a bonded indebtedness of more than \$1,000,000 and that the suggested duty on these two articles would cost the company an expense of \$25,000 to \$30,000 to his company.

Mr. Duran did not care to state how much of the capital was paid in. Representative Kitchen, of North Carolina, asked.

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MAKE OVERALLS IN STATE PRISON

Contract With Star Clothing Co. Be Signed To-Morrow.

THACHER CO. BID IS LOWEST

Shoe Contract Will Terminate May 1—Five Hundred Male Prisoners, With All Women, Will Learn New Trade. Others Go on Public Roads.

Overalls will be made in the Virginia Penitentiary by convict labor, on contract, for five years from May 1, 1913, replacing the manufacture of shoes, now carried on by the Thacher Shoe Company. The last named concern, which has been the contractor for many years, will end its connection with the State, and will operate a big factory in Richmond, employing free labor.

It is understood that the contract will be signed to-morrow afternoon by the board of directors of the State Penitentiary on the one hand, and the Star Clothing Company, of St. Louis and Detroit, on the other hand. This concern is the highest bidder, offering a figure slightly in excess of 80 cents per day for the 500 men and the women who will be employed on contract after May 1.

Name Not Reduced.

This will mean, when figured out, just about double the sum now received from the Thacher Shoe Company. In other words, the 500 men who will work for the Star Clothing Company, will bring in an income of about the same figure as that earned by the 1,000 men employed in the shoe shops at present. The old contract with the Thacher company required the payment of only 42 cents per day for men and 28 cents for women.

Members of the board have evidently taken a last laugh on some of their critics. Sundry shoe manufacturers, breathing out threats and slanders, have proposed injunction proceedings to prevent the consummation of any contract for the prison labor. Attorneys are working on legal papers to stop an extension of agreement with the Thacher Shoe Company, under the impression that the board desires to renew that contract.

Thacher Is Lowest.

All this time the informed have known that the Thacher Shoe Company is the lowest bidder, and has had at no time a ghost of a chance to get the contract for convict labor. The bid it turned in is taken as evidence that it did not expect anything from the board, since it involved a figure so low that it was not considered for an instant.

So the labor of the protestants has gone for naught. It is not unlikely, however, that some efforts will be made to attack the agreement, which will be signed in this city to-morrow. On what ground it can be assailed, is not known.

Under the convict road force law, as amended by the Legislature at its last session, all male prisoners in the penitentiary, after May 1, 1913, are to be subject to work on the highways of the Commonwealth. But such long-term and desperate men as the superintendent shall deem unsafe to be so employed, together with the women prisoners, may be employed on a contract in the penitentiary for not exceeding five years. All tasks for the prisoners are to be fixed by the superintendent.

It is stated that the Thacher Shoe Company will hereafter watch all discharges from the prison, including those whose terms have expired, those pardoned and those paroled, and offer them work in the new shoe factory it is building here. It will thus have first call on shoe workmen, many of whom have reached the proportions of skilled men.

KEEPING RACES SEPARATE

Bills Look to Prevention of Inter-marriage, and "Jim Crow" Cars.

Washington, January 6.—A concerted movement looking to the passage of a law prohibiting the intermarriage of whites and negroes, and the operation of "Jim Crow" cars in the District of Columbia, took definite shape here to-night, when a number of Congressmen including Frank Clark, of Florida, and J. T. Heflin, of Alabama, addressed a meeting of Washington citizens on the subject.

Bills are now pending in the House, introduced by Mr. Clark, to force the street railway companies to operate "Jim Crow" cars, and by Mr. Roddenberry, of Georgia, to prohibit the intermarriage of the races, and it is to keep interest in them aroused that the meeting was held to-night.

About two weeks ago a well known white woman was knocked down not far from the Capitol, badly assaulted, and left bruised and bleeding. She is now recovering, and was caught by a negro, who subsequently was caught in court. According to those interested in these matters, something should be done at once to put bills of this kind into effect without further delay.

COURT DECIDES FOR THEM

Time of Children Apportioned Between Mr. and Mrs. Tillman.

Columbia, S. C., January 6.—The South Carolina Supreme Court to-day issued a final order designating the time which the two daughters of B. R. Tillman, Jr., and his former wife, Mrs. Lucy Dugas, shall spend with their parents.

Under the court's ruling the children will spend the months of July and August each year with their father, and the remainder of the time with their mother. Every other Saturday while they are in the custody of one parent they are to visit the other.